

Pro Patria et Scientia Vivere 50 Years of Scientific Work of Professor Janusz Sondel

On the occasion of the creation of the *Studium Generale* in Cracow, the Jagiellonian University in present times, the King of Poland, Kazimierz the Great, hoped, in his foundation act of 12th of May 1364, that the Academy in the capital of the Polish Kingdom would be "the pearl of greatest science, and that it would create men of great wisdom, virtue and skills". Over the centuries and ages of its existence the university of Cracow has been fulfilling its duty – the will of its founder.

Among students of this Academy a great number of celebrated and famous persons in the fields of Polish culture, politics and science have been working and gaining wisdom. One of such graduates is Professor Janusz Sondel – a great specialist in Roman law and a great Legal Historian, who has an important place among Polish academics.

It is the 50th anniversary of His scientific work and also His 70th birthday that we celebrate now. It is therefore a splendid occasion to extol His life, His experiences and achievements and His academic and didactic successes.

The Life of Professor Sondel

Janusz Sondel, the son of Jan Sondel and Karolina Nowak, was born on 30 April 1937 in Lvov, in an old historical building at Stryjska Street, not far from the beautiful Stryjski Park. Father of the future Professor, Jan Sondel, Doctor of Laws and Doctor of Agriculture, was at that time the Director of municipal property of Lvov.

However, the Sondel Family lived in Lvov for a very short time, because in 1938 Jan Sondel was nominated the Head Master of schools in Bojanowo, near Rawicz, where he moved with his family. He was an active member of the "Polish Western Association" and as a result of this activity he exposed himself to the hostility of the German minority living

in this small village. On September 1939, after the invasion of Hitler's Army in Poland, he had to flee. Małopolska (Little Poland), with Cracow and other towns, became the refuge for the Sondels. Moreover, Jan Sondel was an open-minded man and an excellent expert of Latin. Thanks to him Professor Sondel – as He himself admits – had first contact with the language of Cicero¹, when He, as a young boy, had been listening to the secret lessons of the secondary school level, given by his father during the German occupation.

After the war, the Sondel Family returned to Bojanowo, but the circumstances of the referendum of 1947 and the activity of Jan Sondel against the communist government once again forced them to leave Wielkopolska (Great Poland) and to seek a place to live and work in Pomorze (Pomerania). Finally, in 1950, they settled in Bochnia, where the 13 year old Janusz found some years of peace. Here, in this city, He finished the First Secondary School of King Kazimierz the Great, and He passed his school-leaving examinations in 1953. School years spent in Bochnia bound the Professor emotionally with this town and the land of Bochnia. His activity in "The Association of Men of Bochnia and Admirers of the land of Bochnia" is an expression of this connection².

During his school years Professor Sondel joined the Scouts and, as a result of his active participation in the Association, after October of 1956 He set up his own scouts team in his secondary school in Bochnia. However, having realized that the "Polish Scouts Association" become an object of communist infiltration, He stepped of the Association. From the idea of scouting He inherited his admiration for nature, which He has shown many times by taking care of homeless cats and taking them to the veterinary or by defending an urban greenery³.

Alma Mater of Professor Sondel

Professor Sondel has been inseparably connected with Cracow since 1953 when He became a student of the Faculty of Law and Administration at the Jagiellonian University. He was studying during a very hard time for the University because of the policy of brainwashing introduced by the communist party. Certainly, thanks to the research personnel composed of the professors from the Second Republic of Poland and their students, this faculty could stay independent in most of the branches of research and didactics from the official ideology of Marx and Lenin, imposed in this period upon almost every discipline of science, especially upon the social and legal sciences. After exemplary passes all in his examinations, student Sondel turned his interest to legal history sciences, particularly to Roman law. This discipline, so important for the education of future lawyers, was lectured by Professor Waclaw Osuchowski, who came to Cracow from Lvov, where he had been working as a reader before the war. Professor Osuchowski

¹ See – a dedication on the first page of *Latin-Polish Dictionary for Lawyers and Historians*: "For My Father whom I owe for understanding my first Latin words".

² See more – *infra*: Social Activity.

³ See more – *infra*: Social Activity.

was a great specialist in Roman law, an excellent expert of Roman law sources and an outstanding and really demanding lecturer. He took special care of members of his seminars and pro-seminars which became a real scientific school. One of these students was Professor Sondel who obtained his master degree in this seminar in 1957. Professor Osuchowski noticed great value in his young, 20 years old pupil, and proposed him to take a place in the Chair of Roman Law. From the 1st of October 1957 *Alma Mater Jagiellonica* became for Janusz Sondel the place of his research and didactics. At this University He passed all through levels of a scientific career, from the vice-assistant to ordinary professor: in 1964 He obtained the degree of doctor, in 1974 – the degree of reader in legal science, in 1983 – the title of extraordinary professor and in 1989 – the title of ordinary professor. He held many important and responsible posts at the University of Cracow: in 1975–1978 He was the director of full-time and extramural legal studies, in 1981–1987 He was the vice-dean of the Faculty of Law and Administration and in 1990–1993 – the vice-chancellor of the Jagiellonian University for ordinary matters, in cooperation with His Magnificence chancellor, Professor Dr. Andrzej Pelczar. The holding of this honorable and responsible post was possible because of the great authority and good opinion of Professor Sondel among the academic society.

He was also an active member of NSZZ “Solidarność” (“Solidarity”) during the 80s, while He never belonged to “PZPR” (“Polish Communist Party”). As a president of the association of “Solidarność” in the Institute of Legal History and the Archive of the Jagiellonian University, in 1981 He took part in a strike. In this way He showed his beliefs in the necessity of political and social changes in Poland.

As a reader and as a professor, for many years Janusz Sondel was a member of the Council of the Faculty of Law and Administration and of the Senate of Jagiellonian University. He also took part in many chancellors committees. In 1984–1987 He was a director of the Research Unit of Roman Law, a part of the Institute of Legal History. In 2003–2007 He was a director of the Chair of Roman Law. At the present, Professor Janusz Sondel is still involved in the didactic and scientific life of the University, being a real example of faithfulness to his mission of passing his knowledge to young researchers.

Scientific Accomplishments of Professor Sondel

Professor Janusz Sondel is one of the most outstanding Polish specialists in Roman law, a branch of science of great importance at the Jagiellonian University. The Roman law teaching tradition dates back to the foundation of the University and during 6 centuries of its existence it educated a great number of marvelous professors. For the European culture, particularly the Western-European legal culture, Roman law constitutes a main fundament of contemporary political and legal institutions. Studies in Roman law give the possibility to learn about the roots and evolution of most of the contemporary legal and political institutions and – in this way the possibility of its proper understanding. In the field of private law it is enough to mention such institution as: the private property, *iura in re aliena*,

obligations of contracts and torts, a concept of fault as a base for legal liability. In public law the Republic as a form of political system has also a Roman origin. Furthermore, many basic, still actual fundamentals of the system of law, such as a division of private and public law, came from the Roman world. Education of Roman law gives the opportunity to understand its essence which denies treating the law as an instrument of power and politics. According to Roman *regula*, the law is an art of good and equity (*ius est ars boni et aequi*), and what is just is the law (*ius est quod iustum est*). During all years of his creative life of research work on Roman law and history of legal culture, Professor Sondel devoted himself to the education in a humanistic way, wanted the future lawyers to be able to reflect independently on the law in the realization of fundamental human values.

A considerable list of many (91) valuable publications is the result of 50 years of scientific work of Professor Sondel. Among them one can find all scientific forms of literature typical for disciplines chosen by Him, such as monographs, dissertations, articles, reviews, source editions, handbooks and also a grand dictionary. In his works He always touches the issues of great importance for Roman law and for Polish and European legal culture. These studies are the best evidence of his prudence and also define his place as a leading specialist in Roman law and legal historian among the Polish and European academics representing the same research disciplines.

Classical Roman Law, a Reception of Roman Law, the Law of Chełmno (*Ius Culmense*)

Janusz Sondel began his “scientific adventure” with research on Roman law of classical times inspired by his mentor, Professor Wacław Osuchowski. In his doctoral dissertation, entitled *Special kinds of deposit in Roman Law*⁴, written under the supervision of Professor Osuchowski, He discussed a complex problem⁵ of the classical institution of Roman law of obligations, i.e. different types of special deposit like *depositum miserabile* (*necessarium*), *sequestre* and *irregulare*, which had not been presented in this manner before. Describing their similarities and differences and also comparing them with the contract of *commodatum* and the contract of *mutuum*, the young scholar convincingly explained controversial issues⁶. He formulated many thesis of his own and presented a new approach to the subject. His internal examiners – Professors Adam Wiliński of the Maria Curie-Skłodowska’s University in Lublin and Kazimierz Kolańczyk of Adam Mickiewicz’s University in Poznań, judged the value of this work very highly. Soon it gained its Author international recognition. In 1965 it was awarded the *Premio Arancio Ruiz* – a prestigious prize and a silver medal given by the Centro di Studi Romanistici in Naples.

⁴ *Special kinds of deposit in Roman Law*, Cracow 1967, p. 130; rev. M. Zabłocka, CPH 20 (1968), pp. 222–227; W. Litewski, Labeo 20 (1974), pp. 405–414 (*Figure speciali di deposito*).

⁵ What is emphasized by some reviewers, for example M. Zabłocka, *op. cit.*, p. 222.

⁶ See M. Zabłocka, *op. cit.*, p. 222, 223, 227; W. Litewski, *op. cit.*, p. 405, 411, 412.

The next significant work on classical Roman law of Janusz Sondel was a monograph entitled '*Precarium* in Roman law'⁷. It is worth mentioning that the institution of *precarium* had been the subject of controversy in the Romanist doctrine. Professor Sondel analyzed deeply the institution itself and described innovatively its social and economic functions. This monograph was also very well judged by its critics, Professor Adam Wiliński and Professor Kazimierz Kolańczyk⁸. After the successful defense of his postdoctoral thesis in front of the Council of the Faculty of Law and Administration of the Jagiellonian University in 1972, this work provided its Author *veniam legendi* and a scientific degree of the associate professor of legal sciences.

Having obtained the title of habilitated doctor, Professor Janusz Sondel concentrated his scientific interests on the role and meaning of Roman law in Poland over the ages. He wrote many monographs and articles on this subject. In this way He took part in a scientific discussion that has lasted over 200 years, concerning the presence and impact of Roman law on Polish law. In doing so, He continued the work of his great predecessors, Professors Rafał Taubenschlag, Stanisław Kutrzeba and Adam Vetulani. Taking the compromise position in the discussion mentioned, Professor Sondel emphasized that the knowledge of Roman law has considerably influenced the creation of Polish law, although Roman law has never been treated in Poland as a system of legally binding norms⁹.

Among a great number of works concerning this subject written by Professor Sondel, the most important are the monographs: *Studies on Roman Law in Poland under the Piasts*¹⁰ and *Studies on Roman Law in Poland in the period of Enlightenment*¹¹, as well as the articles published in Polish and foreign magazines and collective editions. In these works He proved the great importance of Roman law and the tradition of Antiquity for Polish legal culture. He analyzed very convincingly the terminological influences of Roman law on Polish law within the scope of legal terms¹², and also the substantive influences manifested in the reception of all aspects of legal institution or separate solutions in such monuments of Polish law, like the "Statutes of King Kazimierz the Great"¹³ or the draft of legal code of the First Republic of Poland, called the "Code of Andrzej Zamojski". In the latter mentioned magnificent work of Polish legal thought of the period of Enlightenment, the famous division used by Gaius in his *Institutiones* was

⁷ '*Precarium* in Roman Law, Cracow 1971, p. 171; rev. K. Kolańczyk, CPH 24 (1972) 2, pp. 225–227 (in connection to a review of *Precario habere* by P. Zamorani, Milano 1969); see also a note by A. Wiliński, Index 6 (1976), p. 328.

⁸ See K. Kolańczyk, *op. cit.*, p. 227.

⁹ *The Importance of Roman Law in the Process of the Creation of the Polish Legal Culture*, [in:] *Tradition of Antiquity in European Culture – a Polish Perspective*, Warsaw 1995, pp. 47–69.

¹⁰ *Studies on Roman Law in Poland under the Piasts*, Cracow 1976, p. 117; rev. I. Żeber, SDHI 45 (1979), pp. 605–608 (*De iure romano in Polonia aetate gentis Piast adhibito*).

¹¹ *Studies on Roman Law in Poland in the period of Enlightenment*, Cracow 1988, p. 163; rev. M. Kuryłowicz, ZSS 107 (1990), p. 718.

¹² *Il ruolo del latino nella penetrazione del diritto romano in Polonia. I problemi delle contemporanee traduzioni di termini giuridici*, [in:] *Atti del Convegno Internazionale "Il latino del diritto"* (Perugia 8–10 ottobre 1992), Roma 1994, pp. 353–360; *Some Remarks on Latin-Polish Legal Terminology and Legal Lexicography*, [in:] *Parliament, Law, People. Studies dedicated to Professor Juliusz Bardach on His 60th Anniversary of Scientific Work*, Warsaw 1996, pp. 267–272.

¹³ *Studies on Roman Law in Poland under the Piasts*, pp. 64 n.

used as well¹⁴. Janusz Sondel also examined the impact and influence of Roman law in the works of Polish historiographers – the Chronicle of Gall the Anonym¹⁵ and the Chronicle of Master Wincenty Kadhubek¹⁶. He proved that Roman law and the specific “Roman spirit” were present in old Polish thought and culture since Poland was baptized and – by this – entered the Western civilization influenced by Romanism¹⁷.

Professor Janusz Sondel in many of his works also touched the issue of the subsidiary application of Roman law in Poland. He was very scrupulous in his examination of examples of the application of Ancient norms and rules in the solution of legal cases, e.g. during the trial of the kidnappers of the King Stanisław August, where the Roman principles concerning the *crimen laesae maiestatis* were used¹⁸. Moreover, He presented also the views and works of writers of the First Republic of Poland, like Bartłomiej Groicki¹⁹, Teodor Ostrowski²⁰, who were constantly drawn to the legacy of Ancient Rome; or Gabriel Taszycki²¹ and Krystian Bogumił Steiner²², the lecturer of law, ancient history and Latin in the School of Knights during the reign of Stanisław August Poniatowski and the author of one of the few Roman law dissertations in the period of Enlightenment.

The issues of the presence of the Ancient legacy in Polish legal doctrine and science in the times of partitions and the Second Republic of Poland were also not omitted in the scientific research of Professor Sondel. In separate works he presented figures of lawyers and lecturers of these times, e.g. Fryderyk Zoll (the Elder) professor of Roman law at the Jagiellonian University²³, and other figures connected with Roman law, like Alex-

¹⁴ E.g. *Roman Law as a Basis for Drafts of Codifications in the Old-time Poland*, Zeszyty Prawnicze Uniwersytetu Kardynała Stefana Wyszyńskiego 1 (2001), pp. 47–69; and *Il diritto romano quale basi dei progetti di codificazione nell'antica Polonia*, [in:] *Roman Law as Formative of Modern Legal Systems. Studies in Honour of Wiesław Litewski*, (eds.) J. Sondel, J. Reszczyński, P. Ściślicki, Cracow 2003, pp. 137–150.

¹⁵ *Studies on Roman Law in Poland under the Piasts*, pp. 36–41.

¹⁶ *Studies on Roman Law in Poland under the Piasts*, pp. 42–63; *About a Presence of Roman Law in the Polish Chronicle of Wincenty Kadhubek*, *Kwartalnik Historyczny* 85 (1978) 1, pp. 95–105.

¹⁷ *Studies on Roman Law in Poland under the Piasts, passim*; *Some General Remarks on the Role of Roman Law in the Old-time Poland*, *Acta Universitatis Lodzensis – Folia Iuridica* 21 (1986), pp. 45–65; *About the Beginnings of the Reception of Roman Law in Polish Municipal Law*, *Zeszyty Naukowe Uniwersytetu Jagiellońskiego – Prace Prawnicze* 625 (1982) 97, pp. 37–53; *Zur Bedeutung des römischen Rechts in Polen in der Regierungszeit des Kusimirs des Grossen*, [in:] *Studi in onore di Arnaldo Biscardi*, vol. IV, Milano 1983, pp. 691–714; *The Beginnings of Knowledge of Roman Law in the Old-time Poland*, [in:] *Sodalitas – Scritti in onore di Antonio Guarino*, Napoli 1984, pp. 3989–4002; *Elemente des römischen Rechts im altpolnischen Staatsstrafrecht*, *Archivum Iuridicum Cracoviense*, vol. XVIII, 1985, pp. 75–105; *Elements of Roman Law in Penal Municipal Law of Old-time Poland*, [in:] *Professor Jan Kodrębski in memoriam*, (ed.) A. Pikulska-Robaszkiewicz, Łódź 2000, pp. 375–398.

¹⁸ *Roman Law in the Trial of Stanisław August's Kidnappers*, [in:] *Crimina et mores. Penal Law and Old Customs in Ancient Rome*, (ed.) M. Kuryłowicz, Lublin 2001, pp. 191–200; *The Code of Justinian as a normative base in the process of 'crimen laesae maiestatis' in Poland of 18th century*, *Nowy Filomata*, R. IV, 2000, No. 2, pp. 143–148.

¹⁹ E.g. *About the Beginnings of the Reception of Roman Law in Polish Municipal Law*, pp. 37–53; *Elements of Roman Law in Penal Municipal Law of the Old-time Poland*, [in:] *Professor Jan Kodrębski...*, pp. 375–398.

²⁰ *Studies on Roman Law in Poland in the period of Enlightenment*, p. 66 n., 101 n.

²¹ See *Anti-feministic treaty by Gabriel Taszycki of 1792*, *CPH* 45 (1993) 1–2 [ed. 1994], p. 365–377.

²² *Studies on Roman Law in Poland in the period of Enlightenment*, pp. 66 n., 85 n.

²³ *Fryderyk Zoll the Elder (1834–1917)*, [in:] *Golden Book of the Faculty of Law and Administration of the Jagiellonian University*, (eds.) J. Stelmach, W. Uruszczak, Cracow 2000, pp. 153–161.

ander Mickiewicz, a younger brother of Adam, Professor of law in the Krzemienieckie Liceum in Wołyń²⁴. The study about the teaching of Roman law at the Jagiellonian University in 19th and 20th century also can be added to the list of his interest²⁵.

In his works about the reception of Roman law, Professor Sondel always focused the reader's attention on the inspiring influence of Roman law on legislators, writers and theorists of law²⁶. He accented that Roman law, thanks to its moral and ethic aspects, like *aequitas* and *bona fides*, constituted "a source of eternally lasting inspiration"²⁷, and also – or especially – in the contemporary world it had a chance to become an element integrating the laws of European countries²⁸. In this way Roman law remains so topical the research studies of academics aiming for its recognition are still necessary. In the first place these studies must serve to educate lawyers, who will play a part in the future of our homeland.

Professor Sondel, in cooperation with Professor Zbigniew Zdrójkowski from Toruń, was also a precursor of deeper research into the law of Chełmno, which was in force in the Northern part of the Old-time Poland. With other scholars He undertook to prepare a critical edition and analysis of subsequent sources of this law²⁹. He paid special attention to influence of Roman law in subsequent 16th century legal codes of the law of Chełmno. As a result, He wrote following monographs: *Studies on Roman Law in Jus Culmense*³⁰, *Elements of Roman Law in Revisions of the Law of Chełmno: of Lidzbark (1566), Nowe Miasto (1580) and Toruń (1594)*³¹, *Revision of Nowe Miasto of the Law of Chełmno 1580 called also 'Jus Culmense Emendatum' or 'Jus Culmense Polonicum'*³²,

²⁴ Alexander Mickiewicz and His Views in Relation to the Conflict in the 19th Century concerning the Role of Roman Law in Old-time Poland, [in:] *Cracovian Legal Studies*, (eds.) W. Uruszczak, D. Malec, Cracow 2004, pp. 9–25.

²⁵ *Roman Law at the Jagiellonian University from Kollajtaj's Reforms to 1945*, [in:] *Studies on History of System and Law. Book dedicated to Professor Jerzy Walachowicz*, (ed.) H. Olszewski, Poznań 2002, pp. 347–381.

²⁶ E.g. *Roman Law as a Source of Inspiration*, [in:] *Through Millennium: State – Law – Person*, (eds.) A. Lityński, M. Mikołajczyk, vol. III, Katowice 2001, pp. 11–28 [= CPH 53 (2001) 2, pp. 9–26]; *Il diritto romano quale fonte d'ispirazione*, [in:] *Honeste vivere... Book dedicated to Professor Władysław Bojarski*, (eds.) E. Gajda, A. Sokala, Toruń 2001, pp. 235–243.

²⁷ This is how one of the most eminent academic in Poland, Professor Henryk Kupiszewski of the University of Warsaw (died in 1994), has been writing about Roman law in his book entitled *Roman law and contemporary times*, Warsaw 1988, p. 215 n. It needs to be stressed that Professor Sondel regards this book as special for legal education and He strongly insists that students of law must read it. He is also agreed with one of the most prominent Polish civilist, Witold Czachórski, who believed that it is possible to be a lawyer without studying properly the legal history *sensu largo* but it is not possible to be in that case a good lawyer.

²⁸ See e.g. *Some Remarks on Contemporary Values of Roman Law*, *Przegląd Humanistyczny* 6 (1976) 8, pp. 85–93.

²⁹ See e.g. *A Latin Text of the Revision of Toruń of the Law of Chełmno*, *Studia Źródłoznawcze* 28 (1983), pp. 197–202.

³⁰ *Studies on Roman Law in 'Jus Culmense' (In 750th anniversary of the privilege of Chełmno)*, Warsaw–Cracow 1984, p. 121; rev.: Z. Zdrójkowski, CPH 38 (1986) 1, pp. 215–218; M. Kuryłowicz, ZSS 103 (1986), pp. 648–649; J. Sobczak, *Komunikaty Mazursko-Warmińskie*, R. 1987, No. 1, pp. 147–151; F. Ebel, ZSS Germ. Abt. 105 (1988), pp. 331–332.

³¹ *Elements of Roman Law in Revisions of the Law of Chełmno: of Lidzbark (1566), Nowe Miasto (1580) and Toruń (1594)*, Toruń 1988, p. 86 and [in:] *Studia Culmensia Juridica*, vol. II, Toruń 1988, p. 86.

³² Toruń 1993, p. 163. A co-translation with I. Malinowska-Kwiatkowska and preparation of the historical introduction.

and also many articles³³. In these works Professor Sondel showed the progressive influence of Roman law in subsequent attempts of the codification of the law of Chełmno. His research proved that:

the meaning of the law of Chełmno (...) cannot be examined only as one of many local systems of law. It played a very important role in the regulation of legal relations in many Polish cities, not only those from Ducal Prussia, but also the lands of Dobrzyńsk, Kujawy, Mazowsze and Podlasie, and occasionally in Great and Little Poland, Wołyń and Lithuania. It was also used by the Asesors' Court which was the supreme court for urban cases³⁴.

The influence of Roman law was not only limited to the subsidiary application, which was the rule in municipal laws during the Renaissance period. It constituted a particular *tertium comparationis* for the interpretation and application of law. The authors of subsequent revisions of law of Chełmno, doctors *utriusque iuris* referred to Roman law as a rule, in order to expose the similarities and differences in regulation of the same issues or to find that institutions of Roman law cannot be used in general.

Editors of the codifications of the law of Chełmno referred also to Roman law to adopt some of its legal solutions, very often in the way of *ius commune*, very well known in Italy and Germany. Sometimes they were taken directly from the codification of Emperor Justinian. The proofs of the substantive influence of Roman law can be found in all three revisions of the law of Chełmno, however in the widest range it can be found in the latest one, done in Toruń in 1594, which, in the Author's opinion "was so deeply filled with Roman law institutions, that without exaggeration, can be recognized as romanist code in its essence and content"³⁵.

The researches concerning the law of Chełmno also reveal a very important recognition of the legal culture of the Old-time Poland as a part of the mutual Polish-German influence. Works about this law by Janusz Sondel inspired great interest abroad, especially in the German doctrine.

Lexicographical Works of Janusz Sondel

Researches on Roman law are constant studies based on the sources written in Latin and Greek. Their terminological and phraseological analyses direct naturally the researcher to linguistic issues. As a researcher and expert of Roman law, Professor Sondel naturally became an outstanding expert in Latin. In 1997 He published a work of exceptional value for the Polish science which gained Him great recognition. It is an

³³ E.g. 'Leges sumptuariae' in the Revision of Toruń of the Law of Chełmno – An Original Institution or a Result of Reception?, *Acta Universitatis Nicolai Copernici – IUS XXX – Nauki Humanistyczno-Społeczne* 218 (1990): *Studies on Old Law of Courts and Municipal Law*, Toruń 1990, pp. 57–68; *Elemente des römischen Rechts in den Kodifikationsprojekten des Kulmer Rechts*, *Ius Commune* 20 (1993), pp. 25–60; Paweł Kuszewicz and his Translation of the Revision of Nowe Miasto of the Law of Chełmno, [in:] *Legal History – History of Culture. Works dedicated to the Late Professor Witold Maisels*, Cracow 1994, pp. 263–289.

³⁴ *Studies on Roman Law in 'Jus Culmense'*, p. 7.

³⁵ *Ibidem*, p. 114.

innovative *Latin-Polish Dictionary for Lawyers and Historians*³⁶, containing 100 thousand entries, a result of a few years of his own independent work. The dictionary contains not only ancient, but also medieval Latin, and the notes about evolution of terms with all the changes in their meanings. This work received very high opinions of experts and raised great interest in scholars, students and people closely connected with the Ancient culture, also popularizing in this way Latin and Roman law. In 1998 Janusz Sondel received the prize of the "Foundation for Polish Science Development" in the field of humanities and social and legal arts called "The Polish Nobel Prize". In its justification, a dictionary was recognized "as a work increasing the knowledge of Roman roots of the spiritual culture of Poland"³⁷. In the same year the Author received a special prize from the Chancellor of the Jagiellonian University – "The University Laurels"³⁸ in the field of academic, social and legal science. This work was also awarded "The First Degree Prize of Minister of Education and Sport".

In dictionary one can find not only legal terms and collocations but also a great number of different headwords outside the law. Because of the specific meaning of some technical terms, the Author added some supplementary commentaries, which, in many cases, have an encyclopedic character. Owing to that fact, dictionary, mainly for lawyers and historians, can also be helpful to other academics. A thorough introduction concerning the importance of Latin in Old-time Poland, and also the history of the Latin-Polish legal historiography constitute its additional value. In this part of dictionary remarks on the place of Latin in the modern world are really valuable. In that way Professor Sondel took part in the academic discussion³⁹ about the essence of the meaning of *latinitas*, a term which was used in the Code of the Emperor Justinian to describe a legal status of so-called *Latini Iuniani*. The author emphasizes that there is also a possibility to widen a semantic sense of this term to values, norms, institutions and ways of thinking which are of great importance to subsequent generations. Therefore, the idea of a specific "category of Latinity" may be treated as a symbol of identification of civilization, culture and religion also in the field of language⁴⁰. According to experts, the work of Professor Sondel is exceptional in the world literature. The dictionary was really well received which was proved by the printing of its second edition in 2001, and also many additional

³⁶ 1st. ed. Cracow 1997, „UNIVERSITAS. Towarzystwo Autorów i Wydawców Prac Naukowych”, p. 1007; rev.: W. Wołodkiewicz, *Państwo i Prawo* 53 (1998) 6, pp. 103–104; A. Gorzkowski, *Magnus liber magnus bonum*, „Terminus – Półrocznik poświęcony tradycji antycznej w kulturze europejskiej”, R. II, 2000, No. 1–2, pp. 171–177.

³⁷ See the justification of the decision – www FNP – http://www.fnp.org.pl/programy_aktualne/nagroda_fnp_laureaci.html.

³⁸ It was a decision of the Senate of the Jagiellonian University of 1998. According to this, and in accordance with the rules, this prize is awarded to the scholar by a Jury led by the Chancellor of the University, in three fields: 1) humanities, social and legal arts; 2) sciences and natural researches and 3) medical sciences. This reward is given in recognition of outstanding academic achievement during the 5 years before its award.

³⁹ See e.g. work by R. Picchio, *Latinitas Slaviae Romanae*, [in:] *Between Slavia Latina and Slavia Orthodoxa*, (ed.) J. Axer, "The Latin in Poland", vol. 1–2, Warsaw 1995, pp. 11–18; J. Axer, *Latinitas in the history and the historical memory of Mid-Eastern Europe*, [in:] *Between Slavia...*, p. 85 n.; A.W. Mikołajczak, *Polish Latinitas in the universum of European Culture*, [in:] *In Quest for Europe. The Reunion in Gniezno and the idea of integrated Europe*, (eds.) A.W. Mikołajczak, L. Mrozewicz, *Studia Europaea*, vol. 1, Poznań 2000, pp. 27–36.

⁴⁰ Compare: J. Sondel, *Introduction*, [in:] *Dictionary...*, p. IX n.

copies (2003, 2005, 2006). Its individual supplement is a CD Rom edition of 2002. Referring to the bibliographical note placed at the Foundation web site, Krzysztof Kowalewski wrote the following⁴¹: “The Fins may listen to the news in Latin on the radio, but we have something better, we have The Sondel Dictionary”⁴².

History of the Jagiellonian University

There are two main reasons why the history of the *Almae Matris Jagiellonica* has always been an important part of the research of Janusz Sondel. Firstly, the impact of Roman law in Poland – a main subject of His scientific work – is strongly connected to the teaching of this subject in the Academia of Cracow. Secondly, an emotional bond between the Professor and the Jagiellonian University has always been very strong. Therefore, the history of this University, the history of Roman law education and also the application of this law in the daily life of the University are the topics of many of his monographic works as well as shorter studies written during His scientific life.

In his first book concerning the reception of Roman law in Poland, He wrote a long chapter in relation to the problem of the importance of Roman law in the projects of King Kazimierz the Great, concerning the foundation of the University⁴³. The Author investigated deeply the reasons of the aspirations of the King to the foundation the *Studium Generale* in Cracow, He discussed the process of making efforts to achieve permission for foundation from the Pope, and also explained a structure of the University based on the “suplika” of the Polish King directed to Pope Urban V as well as on a foundation document of 12th of May 1364. Finally, He touched the problem when lectures on Roman law began: in 14th, 15th or 16th century⁴⁴. In His later studies Professor Sondel investigated the history of the Jagiellonian University, especially the history of the Faculty of Law, and the problems of the teaching of Roman law⁴⁵. He is also the

⁴¹ “In times of the peculiar renaissance of the interest in Latin, which a spectacular proof is, *inter alia*, the transmission by Finish Radio the news of the contemporary world in Latin as well as in the national language, such a dictionary will serve not only the specialist but also others – non specialised people, especially because the Author in many cases gave detailed explanations, of the encyclopedic character. It is worth to stress that this work, composed of over 100 thousand headwords, is a result of the work of the only one man, although abroad such publications were usually prepared by groups of people”, http://www.fnp.org.pl/noty_biograficzne/sondel_janusz.html.

⁴² <http://www.fnp.org.pl/prasa/rz05-12-1998.html>

⁴³ *Studies on Roman Law in Poland under the Piasts*, pp. 80–94. See also a polemic: *Some Remarks on the beginnings of the University of Cracow* (A Study provoked by the Book by S. Szczur, *Pope Urban V and the Foundation of the University in Cracow*, Cracow 1999), *Kwartalnik Historyczny*, R. CIX, 2002, No. 1, pp. 117–125.

⁴⁴ E.g. *Roman Law in the Documentation of the Academy of Cracow*, [in:] *Ancient Law and Legal Thought. Studies on Legal History dedicated to Wojciech Maria Bartel*, Cracow 1995, pp. 171–181.

⁴⁵ *Studies on Roman Law in Poland in the period of Enlightenment*, p. 35 n.; *Roman Law Education in Poland in the Period of Enlightenment*, CPH 40 (1988), pp. 213–229; *History of the Chair of Roman Law at the Jagiellonian University in the Period of the First Republic of Poland*, [in:] *Legal Heritage of 20th Century. Golden Book of Association of the Library of Students on Law of the Jagiellonian University for 150th anniversary*.

Author of many biographic notes about the professors at this University, which are also studies on their scientific achievements⁴⁶. By giving us such works Professor Sondel has made a great contribution to the research on the history of the University.

The great monograph concerning the mutual relationship between the Jagiellonian University and the Church through the ages, entitled *Always Faithful. Jagiellonian University and the Roman-Catholic Church* is the latest work of Professor Sondel⁴⁷. This study is the fruit of longstanding fascination, which began – as He confesses in the *Introduction*⁴⁸ – at the beginning of his career at the University, and which concerns the eminent personages related to the *Studium Generale* of Cracow or the universal Church of Poland as well as particular churches, such as the one of Cracow. Professor Sondel added that the book could not come to an end without long study on the history of the University. In successive chapters the Author described the place of the Church in the life of universities which were religious institutions for a long time, and since the period of Enlightenment in many cases were still in particular connection to the Roman-Catholic Church. Next, He explained an important role of popes for the University of Cracow, in particular the role of Pope Urban V, who had given a consent of foundation of the University, and Pope Boniface IX, who, in 1397, had given a permission to open the Faculty of Theology; and ending by emphasizing the role of former student and Professor of the University, God's Servant, "Saint Father" John Paul II. Furthermore, the Author wrote a special chapter, significantly entitled "The University of Karol Wojtyła – the University of John Paul II"⁴⁹, to relationship

sary, Cracow 2001, pp. 169–216; *Roman Law at the Jagiellonian University from Kolltjaj's Reforms to 1945*, [in:] *Studies on History of System and Law. Book dedicated to Professor Jerzy Walachowicz*, pp. 347–381.

⁴⁶ E.g. Rafal Taubenschlag and His Studies on Polish Legal History, CPH 38 (1986) 1, pp. 157–169; Rafal Taubenschlag – studioso di storia del diritto polacco, BIDR 28/29 (1986), pp. 231–244; Rafal Taubenschlag – romanista, papirologo, storico del diritto polacco, [in:] *Au-delà des frontières – Mélanges de droit romain offerts à Witold Wolodkiewicz*, Varsaviae 2000, pp. 933–954; *Studies of Adam Vetulani concerning Roman Law in Poland*, Zeszyty Naukowe Uniwersytetu Jagiellońskiego – Prace Prawnicze 876 (1989) 125, pp. 123–138; Stanisław Wróblewski as a Specialist in Roman Studies, Cracovian Legal Studies, R. XXIII, 1990, pp. 161–174; Bonifacy Garycki – Professor of Roman Law at the Jagiellonian University at the turn of the 19th century, [in:] *Political Thought. Studies dedicated to Professor Marek Waldenberg*, Cracow 2000, pp. 377–393; Bonifacy Garycki (1742–1822), [in:] *Golden Book...*, pp. 105–111; Fryderyk Zoll the Elder (1834–1917), [in:] *Golden Book...*, pp. 153–161; Rafal Taubenschlag (1881–1958), [in:] *Golden Book...*, pp. 297–304.

⁴⁷ *Always Faithful. Jagiellonian University and the Roman-Catholic Church*, The Jagiellonian University Press, Cracow 2006, p. 565.

⁴⁸ *Always Faithful...*, p. 9 ff.

⁴⁹ Karol Wojtyła began to study at the Jagiellonian University in the Faculty of Philosophy in 1937/1938 as a student of Philology. World War II and closing the Jagiellonian University by Germans made the continuation of his studies impossible. He was a student of a secret Faculty of Theology as an alumni of the High Seminary of the Archdiocese of Cracow. He finished his studies in 1946. In 16 December 1948 he received the title of doctor based on the doctoral dissertation written in the *Angelicum* in Italy. In 1 December 1953 he had the meeting with the Council of the Faculty to defend his thesis (a colloquium of the habilitation) and he became a Doctore hab. in the Faculty of Theology of the Jagiellonian University. However, it was the communist government who decided about the liquidation of this Faculty.

between Karol Wojtyła⁵⁰, John Paul II and the University⁵¹. The subsequent parts of the book contain some explanations of the importance of the bishops of Cracow as chancellors and guardians of the Academy of Cracow⁵²; descriptions of figures of theology and canons of this University and also the relations with different orders of Cracow.

Moreover, the book presents a detailed analysis of the role of this University in the mission of the Catholic faith and in the service of the Church. The Author mentioned the missionaries, the teaching of clerics in the Corona of Poland and the Grand Duchy of Lithuania, the activity of members of the University in diplomacy and also in intra-church disputes, the participation in church councils resulting in the joining the great discussions about the form of the Catholic faith during the Ecumenical Councils of the 15th century, to begin with the Council of Constance. It is important to say that in such discussion of the supporters of the Reformation and defenders of the former basis of the Catholic faith, which had taken place also in Poland, the members of the University stood for the opponents of the Reformation. Also, the activity of professors and students as preachers in various periods of history is an interesting aspect of the aforementioned subject⁵³.

A part concerning the lives of saints, blessed and candidates to sainthood, who were connected with the Jagiellonian University is also worth mentioning⁵⁴. This chapter, which could be an independent monograph, contains several descriptions of different saints and blessed, such as Mother Teresa of Calcutta⁵⁵ and popes who made decisions about the University, whose relations were however rather incidental. The Author also described many prominent figures who played an important role in the history of the University. One of them is Saint Jadwiga, the Queen of Poland and the founder of the Faculty of Theology and a donator of many goods for the renovation of the *Studium Generale*. In 15th "happy century of Cracow" (*felix saeculorum Cracoviae*) the group of saints connected to the University was extraordinarily wide, e.g. Saint Jan Kanty, Blessed Izajasz Boner, Blessed Stanisław Sołtys called Kazmierczyk, Saint Szymon of Lipnica, blessed Michał Giedroyc. In 19th and 20th centuries Saint bishop of Lvov, the professor and the Chancellor of the University, Józef Sebastian Pelczar and the bishop and professor Saint Józef Bilczewski joined this group. In this part of the book one can see how important the role of the Jagiellonian University was in every period of its history in the process of shaping the characters and spirits of its students and professors.

⁵⁰ "Saint Father" John Paul II received the title of doctor *honoris causa* of the Jagiellonian University in 22 June 1983 and for this occasion he visited the *Collegium Maius*. The next meeting with a community of the University took place during his pilgrimage in 1997.

⁵¹ *Always Faithful...*, pp. 477–492.

⁵² *Op. ult. cit.*, p. 93 n. See also the previous study by Janusz Sondel concerning this subject: *Bishops as Chancellors and Guardians of the University of Cracow*, [in:] 'Lex Tua in corde meo'. *Studies and Materials dedicated to His Magnificence Bishop Tadeusz Pieronek on His 40th Anniversary of Scientific Work*, Cracow 2004, pp. 473–494.

⁵³ *Always Faithful...*, pp. 385–399.

⁵⁴ *Op. ult. cit.*, pp. 401–476.

⁵⁵ The title of doctor *honoris causa* in 1990.

Law in Tourism

In 1976, apart from working in the Chair of Roman Law at the Jagiellonian University, Professor Sondel started a didactic and scientific career at the Academy of Physical Education in Cracow. Since that time He has been working as a lecturer and a tutor of the seminar group of students in the Chair of Law and Organization of Tourism at this Academy. The scientific achievements of Professor Sondel in this field is also remarkable. In 1978 He published an innovative study entitled *Tourism and Penal Law*⁵⁶, one of first works concerning these two subjects in a complete way. It is also worth mentioning here His study entitled *Penal Responsibility in Tourism*⁵⁷, which is a pioneering work of this problem, especially because of the fact that on 120 pages Professor Sondel analyzed in detail the norms and rules of penal law, penal-financial law, and administrative law concerning tourism.

Didactic Achievements

Professor Sondel won universal recognition of His 50 year long commitment to the process of education and formation of generations of Polish lawyers. First He worked as an assistant lecturer and a lecturer on Roman law. After habilitation, He started to teach not only Roman law but also other subjects which aim has to bring students of law closer to the legal tradition of Antiquity, to show its impacts on contemporary legal science and also to explain some aspects of the political systems of Ancient states which are still of great importance. As a lecturer, He always has a reputation of a remarkable teacher. For the needs of legal education Professor Sondel prepared subsequent editions with supplements and corrections of a students book written by his mentor and scientific master, Professor Wacław Osuchowski, entitled *Roman Private Law*⁵⁸. For years this book was a fundamental work for lectures on Roman law in many Polish high schools.

Professor Sondel introduced to the world of teaching some new lectures, such as *The importance of Roman law in the formation of contemporary legal culture* or *History of the systems of ancient states*, which aims were the popularization of knowledge of Roman law and Antiquity and also knowledge about the reception of Roman law in Poland. Every year these lectures are extremely popular among students. A particular crown of this didactic project for the exploration of Ancient legal culture *sensu largo* is also a special "Certificate which confirms the Studies concerning Roman Law and Ancient Sources of the European Legal Culture". This Certificate is given by the Chair of Roman Law and a Director of the Commission of Laws of Antiquity of the Committee of Sciences of

⁵⁶ *Tourism and Penal Law*, Zeszyty Akademii Wychowania Fizycznego w Krakowie, 1977, No. 16, pp. 68–78.

⁵⁷ *Penal Responsibility in Tourism*, [in:] J. Raciborski, J. Sondel, K. Sondel, *Law of Tourism*, Warsaw 2000, p. 121. This edition has many reissues (2nd ed. in 2002). It is a special type of law edition with replaceable pages with normative acts and commentaries, formulas of typical contracts and agreements.

⁵⁸ W. Osuchowski, *Roman Private Law. An Outline of the Lecture*, (eds.) W. Litewski, J. Sondel, PWN, Warsaw 1981, 1986, 1988.

Ancient Culture of the Polish Academy of Science – Professor Witold Wołodkiewicz, to the student who passed all exams including Roman law and monographic lectures.

A particular supplementary lecture to the main lecture on Roman law, given by Professor Sondel for years, is a special seminar – a *conversatorium*. This kind of lecture gives to students really interested in the subject of Roman law and its impacts on the legal systems of old and contemporary Europe, an opportunity to explore these subjects independently, but always with the kind help and supervision of the Professor⁵⁹.

As a specialist in Roman law, a lawyer and also a humanist, an outstanding academic, a lecturer and a teacher, Professor Sondel has become a defender of the importance of lectures on Roman law in relation to the program of legal education in Poland. He has presented his position on this matter several times in many publications and oral statements, and always hopes that a humanistic model of legal education does not disappear and will be preserved. It is an important problem especially in the light of the latest trends of dogmatization in the teaching of law – which can be observed also at the Jagiellonian University. Such tendencies are in fact a limitation of legal knowledge to knowing only the content of laws – enactments, but not its essence and phenomenon.

Faithful to the universal idea of the University as a community of professors and students, Professor Sondel has always been for the students involved in the students organization movement. During his career He was a tutor of the Section of Roman Law in the Students Association of the Bibliotheca of Law at the Jagiellonian University, the oldest law students scientific organization in Poland, founded in 1851, which, from the very beginning, had been an organization of the most outstanding Polish academics and lawyers. As a proof of admiration and recognition in 2005 students of the Jagiellonian University gave Him the title of an Honourable Member of this Association.

It is also worth stressing that with help from Professor Sondel several master thesis had been written. He is also a scientific supervisor of many finished doctorates and at present, under his supervision the next dissertations are being prepared and also a special grant of the Minister of High Education is accomplished. Many times Professor Sondel was a scientific reviewer of the processes of doctoral and habilitation degrees, and also a reviewer of scientific achievements of many Polish academics – candidates to the scientific title or position of Professor. Men of Polish science who had their work reviewed by the Professor, such as Tomasz Giaro, Franciszek Longchamps de Brier, Bronisław Sitek, Maria Zabłocka, Jan Zabłocki, Witold Wołodkiewicz are now leading Polish academics with an international recognition.

To finish this review of Professor Sondel didactic achievements one can add that in 1999, joining actively, like other Polish professors, the development of non-public high school education system, He became a co-founder of the High School of Tourism and Ecology in Sucha Beskidzka, and since 2001 He is its Chancellor. It is important to mention that this institution creates educational opportunities for young people and invigorates this region.

⁵⁹ During the *conversatoria* students present their own studies on Roman law and give speeches. Many of their works are later published in a periodical journal of the University – “The Legal Journal of the Association of the Library of Law Students of the Jagiellonian University”. The very particular type of meetings aforementioned, especially evaluated by the students in law as future lawyers, are staging of trials.

Organization of Education and International Cooperation

The activity of Professor Sondel in the field of the organization of education and the editing of academic journals, like "Journal of Legal History" and "Legal Journal of the University of Cardinal Stefan Wyszyński", deserves to be underlined. He took part also in the editing of many academic works, for example He was in the Redaction Committee of Monuments of the Law of Chełmno and of a two volume collection of works in five languages entitled *Roman Law as Formative of Modern Legal Systems*, published by the Jagiellonian University Press, a book dedicated to his friend and scientific partner, the departed Professor Wiesław Litewski⁶⁰. Professor Sondel, for many years now, is a member and active participant of works of the Academic Committee of Ancient Culture of the Polish Academy of Science, the Legal Commission and Philological Commission of the Polish Academy of Skills. He is directly and regularly involved in meetings of these commissions and presents there reports and academic papers⁶¹.

Roman law is an international discipline present in most countries of the world. So it is very important for its development to create international cooperation in many forms, such as conferences or connection between universities. Professor Sondel has been abroad many times, especially as a "visiting professor" at the University of Getting (1985), Bochum (1987) and Rome (1990). In 1992 He was on placement in Herzog-August Bibliothek in Wolfenbüttel. The Chair of Roman Law of the Jagiellonian University has always had and still has many academics – experts in Roman law, from all over the world.

Social Activity

The activities of Professor Sondel for the good of local communities, whom He is connected to, cannot be omitted. It found its expression in the local government, in membership and serving important functions in social organizations (for example as a member of the Scientific Council during the works of the "Association of People of Bochnia and Admirers of the Land of Bochnia"⁶²), His activity in the collective movement of Poland, in inspiring the green movement in Cracow and His involvement in defense of Błonie of Cracow against building of a supermarket "Ivaco". A recognition of His role can be proven by many elections and honours badges He has received, for example the Golden Emblem of Merit for the Region of Cracow, the Emblem of the Central Association of Collective Housing Construction or the Person of Merit of the

⁶⁰ *Roman Law as Formative of Modern Legal Systems. Studies in Honour of Wiesław Litewski*, (eds.) J. Sondel, J. Reszczyński, P. Ściślicki, vol. I–II, Cracow 2003.

⁶¹ See, for example, a lecture given on the meeting of the Committee of the Classical Philology of the Polish Academy of Skills in Cracow in 24 February 2004, entitled *Laws against Luxury in Ancient Rome*, published in "Reports of Meetings of the Polish Academy of Skills" 58 (1994), pp. 25–29.

⁶² Janusz Sondel regularly took part in so-called Meetings in Museum on Thursdays organized by Stanisław Fischer's Museum in Bochnia. Very often He gives lectures during these meetings, e.g. on such issues as the role of Roman law in creation of Polish culture or the history of the scouts movement in Bochnia after 1956.

Collective Movement, and recently the Emblem of Merit for Sucha Beskidzka and the Medal of the Polish Election Commission on the occasion of 10 years of democratic election law.

Professor Sondel is not limited in His interests only to the law in tourism, but He is also a keen tourist and He participates actively in the Polish tourist movement. His cooperation is very valuable for the Polish Tourist Association (PTTK), especially His work in academic committees during congresses of PTTK. In 2000 He took part in the 5th Congress of Polish Tourism and He presided over one of the working groups⁶³. Recognition of His merits can be proven by remembering His award of the Golden Emblem of Tourism Activist and His participation in the Committee during the 100 years anniversary of PTTK in 2005. It is worth recalling that tourism has been a real passion of Professor Sondel for many years. He can be proud of that He has walked the whole Southern Poland on foot, from Rdzawka to the East to Halicz and next year from Rdzawka to Zgorzelec, and all mountain ranges, including most of the peaks.

* * *

Fifty years of academic work is a very long period, which has resulted in many achievements of Professor Janusz Sondel. He owes them not only to His talent, but above all to His exceptional diligence, which exceeds normal measure. In His work He was motivated by the support of His family, especially His wife Elżbieta and also academic recognition, expressed in the prizes He received. Apart from the rewards mentioned above, He is also laureate of the "Prize of the Minister of Education" of first degree (1998), second degree (1982, 1985) and third degree (1973, 1979). He received many academic and international prizes and also many national distinctions, like the "Knight's Cross of *Polonia Restituta* Order".

Professor Janusz Sondel, apart from His academic and didactic work, which was and is a very important part of His life, appreciates most His family, health and some rest. He is famous for His tact, for His scientific partners He is devoted and understanding, for His students – kind but demanding. With His work and attitude He has deserved the title of Academic, about whom it can be said, paraphrasing the great poet of Antiquity, Horace, *exegit monumentum aere perennis*⁶⁴.

Professor dr. Wacław Uruszczak
Mgr. Paulina Świąćicka
Dr. Andrzej Kremer

The English Version by Paulina Świąćicka

⁶³ 1st Group – "Knowing our Country as a Value". The 5th Congress of Polish Tourism took place in Toruń in 8–10 September 2000.

⁶⁴ Hor., *ad Melp. musam* C. 3.30–1.